

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Petition of:)	
)	
Remington Arms Company, Inc.)	
)	ET Docket No. 05-183
For Waiver of Sections 15.245,)	
15.247(b) and 15.247(e) of the Rules)	
and Regulations)	

TO: Marlene H. Dorch, Secretary
For transmission to Ed Thomas, Chief
Office of Engineering and Technology

COMMENTS ON PETITION

1. Remington Arms Company, Law Enforcement Technologies Division, by its attorneys, pursuant to Section 1.45 of the Commission's rules, hereby submits comments on the Petition it filed in this docket. Remington Arms Company is America's oldest firearms manufacturer with roots dating back to Eliphalet Remington's new flintlock design in 1816. Today, Remington is a leading manufacturer of firearms, ammunition and accessories for the sporting goods, law enforcement and military markets. Remington is committed to developing and perfecting technologies and solutions that deliver the necessary advantage to the defense, security and law enforcement sectors of our society,

2. In pursuit of the goal of increasing the opportunities for success and safety to America's first responders to high-risk situations, Remington has developed the Remington Eyeball R1. The Remington Eyeball R1 is a unique system that provides live video and audio surveillance of locations that otherwise could not be directly observed. The Eyeball R1 System reduces the danger to life while gathering information in small hazardous and confined areas, such as buildings, caves, tunnels and alleys, making it well-suited to counter-terrorism and law enforcement operations in urban, rural and wilderness areas. Demonstrations with first responder agencies have resulted in strong endorsement by law enforcement and emergency responding agencies¹.

3. As noted in its Petition for Waiver in the instant docket (the "Remington Petition"), the device will operate at 2.4 GHz with 1000mW for transmitting the audio and video to the control

¹ See excerpts from First Responders in Attachment A to Remington's Petition for Waiver filed in this docket. See also description attached as Attachment A to this document.

point and at 902 – 928 MHz with emitted power of less than 1000 mW for the command and control data transmission. The Remington Eyeball R1 is an analog device, but to accomplish its mission, the Eyeball needs the 1000 mW of power. Therefore, Remington has requested a waiver of the power limit to allow the Eyeball R1 to operate at the power limit permitted for digital modulation contained in §15.247(b)(3) of the Commission's rules notwithstanding that it actually operates in analog mode.

4. Coextensive with the 2.4 GHz ISM band (2400 – 2483 MHz) there is an allocation for Fixed Microwave at 2450 – 2483.5 MHz. There is an *ad hoc* group of manufacturers and users of fixed microwave technology that meets from time to time to discuss matters of policy relating to the fixed microwave and other wireless spectrum allocations known as the Fixed Wireless Communications Coalition (FWCC). Remington has conducted discussions with a representative of the FWCC to explore issues they might have regarding the Eyeball operation in the 2.4 GHz band. Those discussions revealed their primary concern to be that sale of the device be limited to the safety and security community described in the Remington Petition and that this waiver not serve as a prelude to a host of similar power limit waivers to allow devices for a broader consumer electronics community.

5. Remington considers it to be worthwhile to propose a special provision for the waiver that could satisfy the FWCC. Such a limitation would serve the purpose to limit the use of such devices to legitimate law enforcement purposes, keeping similar devices out of the hands of the unscrupulous and would add integrity to the device.

THE PROPOSED USER LIMITATION

6. Remington proposes that its requested waiver include language that restricts the use of the products manufactured and sold pursuant to it. Permitted users would be limited to eligible users of the Public Safety Pool under Section 90.20 of the Commission's rules,² federal government agencies that would be eligible users were they state government agencies, and state licensed security and investigative service providers.³

² 47 CFR §90.20

³ The majority of States and the District of Columbia require private detectives and investigators to be licensed. Web site of the Bureau of Labor Statistics <http://bls.gov/oco/ocos157.htm#training>, last visited on June 6, 2005. Most States require that guards be licensed. To be licensed as a guard, individuals must usually be at least 18 years old, pass a background check, and complete classroom training in such subjects as property rights, emergency procedures, and detention of suspected criminals. Drug testing often is required, and may be random and ongoing. Web site of the Bureau of Labor Statistics, <http://www.bls.gov/oco/ocos159.htm#training>, last visited on June 6, 2005.

CORRECTION OF TYPOGRAPHICAL ERROR

7. Remington noticed that there is a typographical error in its petition at paragraphs 1 and 11 where reference was made to §15.245 of the Commission's rules. In fact the reference there was intended to be to §15.249(a) and the 500 microvolt per meter limit for analog devices.

CONCLUSION

8. By these comments, Remington renews its request that the Commission provide a waiver of the emission limit in §15.249(a) and emission type in 47 CFR 15.247(b)(3) and waiver of §15.247(e) to permit the manufacture and sale of the Eyeball R1 with a one watt power limit. The waiver should be limited to allow use of the Remington Eyeball R1 only by users eligible under Section 90.20 of the Commission's rules for the Public Safety Pool, state licensed security and investigative service providers and federal government agencies that would be eligible users were they state government agencies.

9. Section 1.925 of the Commission's rules will be served by allowing those charged by the American public with securing our safety access to this important new technology that can save lives and provide an extra measure of safety and effectiveness to their task. This waiver will serve the higher public interest in saving life and combating terrorism, a significant underlying purpose of the Commission's mandate in Section 1 of the Communications Act of 1934.

Respectfully submitted,

**REMINGTON ARMS COMPANY, INC.
LAW ENFORCEMENT TECHNOLOGIES
DIVISION**

June 6, 2005

By: 

Gregg P. Skall, Esquire
Womble Carlyle Sandridge & Rice, PLLC
1401 Eye Street, N.W.
Seventh Floor
Washington, D.C. 20005
202-857-4400
Its Attorneys

Attachment A

[Modified from the narrative of Remington video]

As America's oldest firearms manufacturer, Remington Arms Company has worked side-by-side with law enforcement for more than 100 years. We know that today, law enforcement is more demanding – and dangerous – than ever before. The headlines only tell part of the story. Consider that more than 100 law enforcement professionals died in the line of duty – and more than 58 thousand were assaulted, according to the FBI's most recent annual survey statistics.

Here's what Sam Page, sheriff of Rockingham County, North Carolina Sheriff's Department has to say:

For more than 20 years, I've been proud to protect and serve my community and my country. If you're like me, part of the job is being visible in the community. Another part of the job involves responding to calls with only limited or no insight into the situation. It is the lack of knowing what's behind the door, what's around the corner, or who's hiding in the attic that can be the most hazardous.

In siege operations such as drug raids or hostage situations, there are a lot of variables to consider, and a razor-thin margin of error for missteps. Insight into a building can be the difference between a safe, successful response and potential tragedy. You need situational awareness information – the number of suspects and hostages, the suspects' weapons cache, if the entrances are clear or booby-trapped?

Remington has developed a product that can provide critical visibility into previously unknown situations. Never Guess...See the Remington Eye Ball R1 for yourself.

The Eye Ball R1 provides a new level of intelligence and insight into previously veiled siege, surveillance, and rescue/reconnaissance situations. Lightweight, compact, and easy-to-use, the Eye Ball R1 provides new real-time video and audio surveillance visibility. You can throw, drop, lower, or plant the baseball-sized, ruggedized Eye Ball R1 into any hazardous environment – and immediately access audio and video feeds from the interior.

Importantly, you control the Eye Ball R1 camera and direct its 360-degree camera viewing capabilities. The internal infrared LEDs illuminate the scene to pierce through the cloak of darkness. The Eye Ball R1 also automatically rights itself to maintain an optimal surveillance and reconnaissance position.

The Personal Display Unit or PDU provides users with powerful visibility into a siege situation. Simple controls enable you to direct the Eye Ball camera with precision.

When safety is on the line...Never Guess. During siege or rescue situations knowledge is power – insight is a critical advantage in defusing a volatile situation. It is crucial to evaluate key factors immediately, including:

- Number of suspects
- Number of hostages
- Location of suspects and hostages in the siege location
- Types and amount of weaponry
- Entrance barricades/tripwires

Law enforcement officials must act swiftly and decisively during hostile situations. The Eye Ball R1 provides important visibility and intelligence into a hostile situation to significantly reduce – and even eliminate the threat of the unknown. Eye Ball R1 delivers unique benefits that provide a differentiated advantage – and the potential for increased safety. Key benefits include:

- New levels of visibility into a siege or rescue situation. Eye Ball R1 provides clear, real-time audio and video of a siege area where deployed
- Audio and video transmissions of up to 300 yards enables you to view potentially hazardous situations from a safe distance
- Powerful remote management capabilities direct Eye Ball R1 to gain full, 360-degree visibility into an unknown environment
- Intuitive, straightforward controls make it easy for you to direct Eye Ball R1 during tense situations
- The PDU connects easily to a computer or video equipment for recording and enhanced video processing
- Compact size and recharge capabilities make Eye Ball R1 an ideal tool to keep at hand

Sheriff Sam Page says:

Good law enforcement is a combination of training, discipline, dedication, good instincts, and the right equipment. A product like Remington's Eye Ball R1 provides powerful new visibility into hostile environments. Visibility is essential to making the right decisions and making them safely.